



PC AGENDA: 04-09-03

ITEM:

Memorandum

TO: PLANNING COMMISSION

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: April 1, 2003

COUNCIL DISTRICT: 4

SUBJECT: VACATION OF PORTIONS OF HOPPE AVENUE, BERNICE, MOFFAT, VICTORIA AND WASHINGTON STREETS, AN UNNAMED STREET AND ALLEYS LOCATED ON THE SOUTH SIDE OF NORTH FIRST STREET AND EASTERLY OF LIBERTY STREET (ALVISO PLANNED COMMUNITY).

BACKGROUND

This is a privately initiated request to vacate portions of Hoppe Avenue, Bernice, Moffat, Victoria and Washington Streets, in addition to an unnamed street and alleyways located on the south side of North First Street and easterly of Liberty Street. The streets proposed to be vacated have never been constructed and would, in any case, be used exclusively by the adjacent property owner(s) (Sainte Claire Corp./GTE Mobilenet) as a point of access to their respective properties. Existing uses on the properties include a truck and trailer storage yard and a golf course driving range. It has been determined that the streets and alleys are not needed for present or future public uses. The subject streets proposed to be vacated are not tied to or a condition of any approved development in the subject area.

The Department of Public Works supports the proposed vacation and recommends that it be approved. All concerned utility companies have been contacted and have no objections to the proposed vacation, provided that a public service easement is reserved. Accordingly, a public service easement will be reserved over the entire portion of the right-of-way proposed to be vacated.

This vacation is in conformance with the adopted San José 2020 General Plan Land Use/Transportation Diagram and the Alviso Master Plan in that the proposed vacation of portions of the above streets and alleys would not change the allowed uses on the adjoining properties nor are any of the streets designated as a Major Collector Street on the Land Use/Transportation Diagram.

CEQA

Under the provisions of Section 15305 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, this project is found to be exempt from environmental review because it only consists of a minor alteration in land use limitations which does not result in any changes to land use or density.

RECOMMENDATION

Planning Staff recommends approval of the vacation to the satisfaction of the Director of Public Works.

Stephen M. Haase, AICP, Director
Planning, Building and Code Enforcement